

Black Sox in the Courtroom by William F. Lamb (review)

William D. Blake

William F. Lamb. *Black Sox in the Courtroom*. Jefferson NC: McFarland, 2013. pp. Paper, \$29.95

The films *Eight Men Out*, *Field of Dreams*, and Ken Burns's *Baseball* have brought the story of the Black Sox scandal to a wider audience of baseball fans, capturing the public imagination like few other chapters of baseball history.

One of the most intriguing aspects of the Black Sox story is that, while several players received lifetime bans from baseball, no member of the team received a criminal conviction. A large part of the explanation, according to Eliot Asinof's book *Eight Men Out*, was the mysterious disappearance, then reappearance much later, of signed confessions from the players.

In a thoroughly documented new book about the legal aspects of the Black Sox scandal, retired prosecutor and Black Sox expert William Lamb provides strong evidence against this part of the standard story. Lamb's research demonstrates there never were signed confessions. Instead, the smoking gun was a transcript of testimony given by Joe Jackson, Eddie Cicotte, and Lefty Williams before the Cook County grand jury, in which they admitted their role in throwing the 1919 World Series. As Lamb points out, there was no legal requirement for Jackson or the others to sign anything for this testimony to be considered authoritative.

As far as the disappearance and reappearance of this testimony, again, Lamb presents a much different story than Asinof. It does appear that the copy went missing; but as soon as it was noticed, the court stenographer was ordered to retype a new copy of the testimony based on his shorthand notes, which had never disappeared. Prosecutors then read that testimony during the criminal trial, although it was heavily redacted.

In the end, the criminal trial concluded without convictions, according to Lamb, because jury nullification had occurred. That is, the jury refused to apply the evidence in the case because they did not think the defendants deserved to be punished. Lamb uses author's notes to explain legal concepts, such as jury nullification; but the audience would benefit even more if he used this technique more frequently.

The Black Sox scandal engulfed the entire baseball fraternity. Lamb maintains a glossary of people mentioned in the book, and it includes characters from the baseball world most fans would have never assumed played any part in this story. Despite this inclusion, it can be difficult

This is the author's manuscript of the article published in final edited form as:

Blake, W. D. (2014). Black Sox in the Courtroom by William F. Lamb (review). *NINE: A Journal of Baseball History and Culture*, 22(2), 147–149. Available from:
<http://muse.jhu.edu/journals/nine/v022/22.2.blake.html>

for readers, at times, to maintain a sense of which figures in the trials are truly important and which are more peripheral. A greater usage of footnotes by the author would help in this regard.

One reason why the grand jury heard testimony from people across the baseball world, including John McGraw, Charles Ebbets, and Bill Veeck Sr., was because the panel was charged with broadly investigating the fixing of baseball games. In fact, the proximate cause for convening the grand jury was, not the 1919 World Series, but an otherwise meaningless regular season game between the Chicago Cubs and Philadelphia Phillies in August of 1920. Unfortunately, Lamb is unable to tell us precisely how the investigation shifted to the 1919 World Series.

This historical drama unfolded along a particularly circuitous path: two grand jury investigations, a criminal trial, and several civil lawsuits filed by the acquitted players seeking back pay. Jackson convinced the jury in his breach of contract suit, to the tune of almost \$17,000. However, the judge in the case vacated the verdict, and Jackson's appeals were unsuccessful. The other players were similarly unsuccessful, though there is some speculation that Buck Weaver reached an out-of-court settlement with the White Sox.

Lamb also effectively provides a broader context as to the truly extraordinary nature of these cases. For example, grand jury investigations are required to be conducted in secret, yet prosecutors, witnesses, and grand jurors themselves repeatedly violated these requirements by giving press statements. The reader gets the sense that the Black Sox trials were the early-twentieth-century equivalent of the O. J. Simpson trial.

The media circus kept a nation of baseball fans up-to-date on every minute detail, but they were often misinformed. This book relies on key new documents available at the Chicago History Museum, which contradict media reports concerning who testified at the various legal venues as well as the nature of their testimony. These mistakes had become part of the Black Sox canon after being repeated over the subsequent decades.

Despite the availability of these new documents, some important questions remain unanswered. For one, the book sheds little new light on the culpability of Buck Weaver, who spent the remainder of his life protesting his innocence. On a smaller note, Lamb documents how American League president Ban Johnson became convinced early on that the 1919 World Series was fixed. However, after a private audience with New York gambler Arnold Rothstein, Johnson proclaimed Rothstein played no part in buying off Black Sox players. Johnson's dislike of White Sox owner Charles Comiskey is well-known, which makes his defense of Rothstein somewhat puzzling.

Overall, William Lamb makes an impressive contribution to the historical understanding of the Black Sox scandal. While the book can be difficult to follow at times, Lamb's effort reaffirms why this chapter in baseball history is worth understanding.

This is the author's manuscript of the article published in final edited form as:

Blake, W. D. (2014). Black Sox in the Courtroom by William F. Lamb (review). *NINE: A Journal of Baseball History and Culture*, 22(2), 147–149. Available from:
<http://muse.jhu.edu/journals/nine/v022/22.2.blake.html>